



# TRANSMITTAL FORM

Application Serial Number	09/691,345
Filing Date	October 18, 2000
First Named Inventor	Spievack
Group Art Unit	1636
Examiner Name	Ketter, J. S.
Attorney Docket No.	SPV-001
Patent No.	Not applicable
Issue Date	Not applicable

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## ENCLOSURES (check all that apply)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Check Attached<br><input type="checkbox"/> Copy of Fee Transmittal Form<br><br><input checked="" type="checkbox"/> Amendment/Response<br><input type="checkbox"/> Preliminary<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]<br><br><input type="checkbox"/> Petition for Extension of Time<br><br><input checked="" type="checkbox"/> Supplemental Information Disclosure Statement<br><input checked="" type="checkbox"/> Form PTO-1449<br><input checked="" type="checkbox"/> Copies of IDS Citations<br><input checked="" type="checkbox"/> Copy of Letter Dated August 30, 2002<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Sequence Listing submission<br><input type="checkbox"/> Paper Copy/CD<br><input type="checkbox"/> Computer Readable Copy<br><input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)<br><br><input type="checkbox"/> Formal Drawing(s)<br><br><input type="checkbox"/> Request For Continued Examination (RCE) Transmittal<br><br><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> CD(s) for large table or computer program<br><br><input type="checkbox"/> Amendment After Allowance<br><br><input type="checkbox"/> Request for Certificate of Correction<br><input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences<br><br><input type="checkbox"/> Appeal Brief (in triplicate)<br><br><input type="checkbox"/> Status Inquiry<br><br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8<br><br><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8<br><br><input type="checkbox"/> Additional Enclosure(s) (please identify below) |
|--|--|---|

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
*Ronda P. Moore, D.V.M.*  
Ronda P. Moore, D.V.M.  
Attorney for Applicant  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
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Date: December 6, 2002  
Reg. No. 44,244  
Tel. No.: (617) 248-7044  
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# **FREE TRANSMITTAL** FY 2002

Complete if Known

Application Serial Number 09/691,345  
Filing Date October 18, 2000  
First Named Inventor Spievack  
Group Art Unit 1636  
Examiner Name Ketter, J. S.  
Attorney Docket No. SPV-001

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## **METHOD OF PAYMENT**

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

## **FEE CALCULATION**

### **1. FILING FEE**

#### **Large Entity**

Fee (\$)	Fee Description	Fee Paid
740	Utility filing fee	
330	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 84.00 =

☐ Multiple Dependent Claim(s), if any \$280.00 =

TOTAL:  
SMALL ENTITY DISCOUNT:  
SUBTOTAL (1) (\$) 00.00

### **2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 84.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$280.00 =	

TOTAL: (\$)  
SMALL ENTITY DISCOUNT: (\$)  
SUBTOTAL (2) (\$) 00.00

## **FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1440	720	Extension for reply within fourth month	
1960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	180.00
740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
740	370	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$) 180.00

SUBTOTAL (1) 00.00  
SUBTOTAL (2) 00.00  
SUBTOTAL (3) 180.00

TOTAL (\$) 180.00

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## **SIGNATURE BLOCK**

Date: December 6, 2002  
Reg. No.: 44,244  
Tel. No.: (617) 248-7044  
Fax No.: (617) 248-7100

Respectfully submitted,

*Ronda P. Moore, D.V.M.*  
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PATENT  
Attorney Docket No. SPV-001  
(7931/2)

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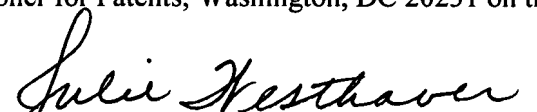
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Spievack  
SERIAL NO.: 09/691,345 GROUP NO.: 1636  
FILING DATE: October 18, 2000 EXAMINER: Ketter, J.S.  
TITLE: TISSUE REGENERATIVE COMPOSITION, METHOD OF MAKING,  
AND METHOD OF USE THEREOF

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, Washington, DC 20231 on this 6th day of December, 2002.

  
Julie Westhaver

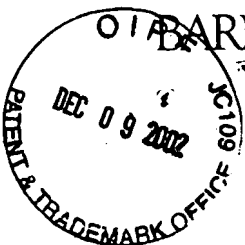
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Transmittal Form (1 pg.); Fee Transmittal (1 pg.); Amendment and Response (7 pgs.); Supplemental Information Disclosure Statement (2 pgs.); Form PTO-1449 (2 pgs.); Copy of Letter Dated August 30, 2002 (1 pg.); References AAC-AAJ and CH-CU; Check in the Amount of \$180.00; and postcard.

2501601



BARNES & THORNBURG

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August 30, 2002

ACell, Inc.  
10555 Guilford Road, Suite 113  
Jessup, Maryland 20794

**Via Facsimile (410) 715-4511**  
**Certified Mail**  
**Return Receipt Requested**

ACell, Inc.  
2700 Kent Avenue  
West Lafayette, Indiana 47906  
Attn: Dr. Stephen F. Badylak  
Dr. Alan R. Spievack

**Certified Mail**  
**Return Receipt Requested**

Re: PCT International Application No. PCT/US00/34938  
and Related Patent Applications Assigned to ACell, Inc.

Gentlemen:

At the request of our client Purdue University we have conducted an extensive investigation into the development of urinary bladder derived tissue compositions at Purdue. Based on that investigation we have determined that several embodiments of the invention described and claimed in ACell's PCT International Application No. PCT/US00/34938 were conceived and reduced to practice by Purdue employees before the 22 December 1999 filing date of the provisional application counterpart of the subject PCT application.

ACell, Inc. is hereby advised that Purdue has at least a co-ownership interest in the inventions described and claimed in the subject PCT application. ACell is advised, as well, that a patent application has been filed in the United States Patent and Trademark Office to provoke an interference with ACell's U.S. counterpart applications, U.S. Application Serial No. 09/691,345 and U.S. Patent Application Serial No. 09/691,590 and any related U.S. patent applications.

Very truly yours,  
BARNES & THORNBURG

  
Steven R. Lammert

SRL:glr

cc: Elizabeth Kuuttila  
Ronda Moore, Esquire  
William Kealey, Esquire

C  
O  
P  
Y